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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,629	03/11/2004	Douglas Harold Rollender	22	6663

7590

11/01/2006

Docket Administrator (Room 3J-219)  
Lucent Technologies Inc.  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER
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TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/798,629

Applicant(s)

ROLLENDER, DOUGLAS HAROLD

Examiner

CongVan Tran

Art Unit

2617

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 06 September 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-27.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

CongVan Tran  
Primary Examiner  
Art Unit: 2617

### DETAILED ACTION

1. This office is in response to Remark filed on and Sept. 06, 2006.

#### ***Response to Arguments***

2. In response to applicant's argument regarding claims 1, 8 and 22, that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies: (i.e., receiving from a PSAP call center at least one tag identifier in response to the emergency call from the at least one wireless unit and transmitting to the PSAP call center a wireless call back number).

Examiner respectfully disagrees in abstract of Chin's reference stated as "the PSAP also sends the identifier of the mobile station (tag identifier) to the switch"; and Chin's reference also state "the switch sends the emergency routing number (call back number) as the calling party number and provides the PSAP with the identifier of the mobile station and if the emergency call drops, the PSAP performs a call back using the emergency routing number (call back number) as the called party number", with these broadest interpretation therefor, the rejection of claims 1, 8 and 22 is proper.

In response to applicant's argument regarding claims 14, and 18, that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies: (i.e., requesting the emergency callback corresponding with the entered at least one received tag identifier).

Examiner respectfully disagrees in paragraph [0002] of D'Evelyn reference states "the temporary or pseudo telephone numbers may also be used for call-back to a calling party by a PSAP or other call participant, such as a first responder (e.g., police, fire or

medical service personnel)". Therefore, the PSAP will call back the calling party either the calling party requests or not, with the broadest interpretation therefor, the rejection of claims 14, and 18 are proper.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, and 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Chin et al. (2004/0203565).

Regarding claims 1, 5, 8 and 22, Chin discloses an emergency call back method, comprising: receiving from a PSAP call center at least one tag identifier in response to the emergency call from the at least one wireless unit (see abstract, fig.1 and its description) and transmitting to the PSAP call center a wireless call back number corresponding with the at least one tag identifier in response to receiving the at least one tag identifier (see abstract, fig.2 and its description).

Regarding claims 2-4, 9 Chin further discloses at least one tag identifier corresponds with at least one of an emergency service routing key, a local public safety number, a paging identity and a mobile equipment identification number (see figs.1-6 paragraph [0012] and its description).

5. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by D'Evelyn et al. (2005/0053209).

Regarding claims 1, 5, 8, 14, 18, 22, D'Evelyn discloses a method and system for availing participants in a special number call event and others of information contained in a plurality of data stores, the method comprising: transmitting at least one tag identifier to the emergency service message entity (see fig.3, element 124, paragraph [0045] and its description); entering the at least one tag identifier into the emergency service message entity (see fig.3, elements, 124-126, paragraph [0045] and its description); and requesting the emergency callback corresponding with the entered at least one received tag identifier (see figs.3-4, paragraphs [0045]-[0094] and its description).

Regarding claims 2-4, 9-13, 15-17, and 23-27 D'Evelyn further discloses at least one tag identifier corresponds with at least one of an emergency service routing key, a local public safety number, a paging identity and a mobile equipment identification number (see figs.3-4, 124-126, paragraphs [0045]-[0094] and its description).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
CONGVAN TRAN  
PRIMARY EXAMINER

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Art Unit 2617

Oct. 28, 2006.